

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

LEHMAN BROTHERS HOLDINGS INC., et al.,

Debtors.

Chapter 11 Case No.
08-13555 (JMP)
(Jointly Administered)

In re

LEHMAN BROTHERS INC.,

Debtor.

Case No. 08-01420 (JMP)
(SIPA)

[PROPOSED] ORDER

Upon the motion (the “Motion”) of Barclays Capital Inc. (“Barclays”) for the entry of an order Excluding the Testimony of John P. Garvey, Mark E. Slattery, Joseph Schwaba, John J. Schneider, John J. Olvany, Harrison J. Goldin, and. Professor Mark E. Zmijewski (the “Motion”); the Court having reviewed the Motion and having considered the statements of counsel before the Court (the “Hearing”); and the Court having found that: (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; (b) this is a core proceeding pursuant to 28 U.S.C. § 157(b); and (c) notice of the Motion and the Hearing was sufficient under the circumstances; and the Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.

2. The expert testimony of John P. Garvey, including the Report dated March 15, 2010, is hereby deemed inadmissible and is excluded from the record, pursuant to Fed. R. Evid. 702.
3. The expert testimony of Mark E. Slattery, including the Report dated March 15, 2010, is hereby deemed inadmissible and is excluded from the record, pursuant to Fed. R. Evid. 702.
4. The expert testimony of Joseph Schwaba, including the Report dated March 15, 2010, is hereby deemed inadmissible and is excluded from the record, pursuant to Fed. R. Evid. 702.
5. The expert testimony of John J. Schneider, including the Report dated March 15, 2010, is hereby deemed inadmissible and is excluded from the record, pursuant to Fed. R. Evid. 702.
6. The expert testimony of John J. Olvany, including the Report dated March 15, 2010, is hereby deemed inadmissible and is excluded from the record, pursuant to Fed. R. Evid. 702.
7. The expert testimony of Harrison J. Goldin, including the Report dated March 15, 2010, is hereby deemed inadmissible and is excluded from the record, pursuant to Fed. R. Evid. 702.
8. The expert testimony of Mark E. Zmijewski, including the Report dated March 15, 2010, is hereby deemed inadmissible and is excluded from the record, pursuant to Fed. R. Evid. 702.
9. The Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation of this Order.

Dated: _____

New York, New York

HONORABLE JAMES M. PECK
UNITED STATES BANKRUPTCY JUDGE